

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GEORGE D. DELONG, JR.,

Defendant.

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CASE NO. 4:11-cr-00474

OPINION & ORDER
[Resolving Doc. [49](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Defendant George D. DeLong Jr. requests a reduced sentence under the compassionate release statute, 18 U.S.C. § 3582.¹ The Government opposes DeLong's petition.²

Under the compassionate release statute, the Court may reduce a defendant's term of imprisonment upon a motion by the defendant.³ But first, a defendant must satisfy an exhaustion requirement.

Before filing a compassionate release motion with the Court, a defendant must either (1) fully exhaust "all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf" or (2) wait 30 days "from the receipt of such a request by the warden of the defendant's facility, whichever is earlier."⁴

In DeLong's case, the Government contends that DeLong has not presented any request to the Bureau of Prisons. DeLong does not rebut this contention.

¹ Doc. [49](#).

² Doc. [51](#).

³ 18 U.S.C. § 3582(c)(1)(A)(i).

⁴ *Id.*

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Accordingly, the Court **DENIES** DeLong's sentence-reduction motion without prejudice. DeLong may renew his motion upon a showing that he has satisfied § 3582's exhaustion requirement

IT IS SO ORDERED.

Dated: July 21, 2020

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE